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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/997,464	11/29/2001	Koji Mackawa	34196	6170
116	7590	06/23/2005	EXAMINER	
PEARNE & GORDON LLP 1801 EAST 9TH STREET SUITE 1200 CLEVELAND, OH 44114-3108			SENFİ, BEHROOZ M	
			ART UNIT	PAPER NUMBER
			2613	

DATE MAILED: 06/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/997,464

**Applicant(s)**

MAEKAWA ET AL.

**Examiner**

Behrooz Senfi

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-84 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-84 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendment and remarks (filed 2/7/2005) overcomes the rejection under 35 U.S.C. 112, first paragraph. The 35 U.S.C. 112, first paragraph rejection of claims 1 – 82 has been withdrawn.

Applicant amendment (filed 2/7/2005) amends claims 1 – 2, 5 – 14, 17 – 20, 23 – 28, 30 – 38, 40, 42 – 43, 46 – 62, 64 – 69, 71 – 79, 81 and added new claims 83 – 84.

Applicant's arguments (remarks, filed 2/7/2005) have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 10 – 17, 34 – 35, 37 – 38, 42, 51 – 58, 75 – 76, 78 – 79 and 83 – 84 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujiyama et al. (US 6,678,286) in view of Kohno et al (US 2003/0048356).

Regarding claims 1, 42 and 75 - 76, Fujiyama '286 teaches, "an image transmitting and receiving system" (i.e. figs. 2 and 11, image transmitter and receiver), and "a plurality of data transmission, each for transmitting one or more transmission data portions ....." (i.e. figs. 2 and 11, transmission lines), and "a plurality of data receiving ....." (i.e. figs. 2 and 11, receiving apparatus 51/1 – 51/m), and "the data

transmission, each including: "a plurality of camera units ..... " (i.e. fig. 2, cameras 41/1 – 41/n), and "an image inputting unit operatively connected with the camera units for operating one or more camera units ..... " (i.e. fig. 4, video input 1 – n and 41(g)), and "a plurality of camera units" (i.e. fig. 1 cameras 42) and "a compressing and encoding unit for compressing and encoding the moving image ..... " (i.e. fig. 11, encoder 1(b)), and " a plurality of data transmitting units ..... with address information to the coded moving image ..... " (i.e. figs. 1 and 11, 1(c) and address information would be necessitated for the proper communication and transmission data from the plurality of transmitter to the respective one or more receiver through network) and "a transmission line connection control unit for inputting one or more transmission data portion generated by the one or more data transmitting units ..... , and a transmission control unit for controlling the image inputting unit ..... " (i.e. figs. 11 and 13, control units 6 and 17, and fig. 4, 41n), and "the data receiving, each including: a receiving line connection control unit ..... " (i.e. fig. 10, control unit 51i), and "a plurality of data receiving units ..... " (i.e. fig. 11, receivers 2/1 – 2/m), and "a plurality of decompress/decoding units ..... " (i.e. fig. 12, 15/1 – 15/n), and "a data output unit for outputting the moving image signal ..... " (i.e. figs. 2 and 11), and "a monitoring unit having a screen for displaying one moving picture ..... " (i.e. fig. 2, monitors 1 – m), and "instruction and operation request ..... " (i.e. col. 8, lines 65 – 67). Fujiyama (i.e. fig. 4) shows SEL (41g) for receiving plurality of video and passing through the image signal under instruction of control unit from the center, but does not explicitly show synthesizing the images. However, based on the above explanation with respect to (i.e. fig. 4, SEL (41g) unit and

col. 7, lines 8 – 12) the SEL 41g would be used for synthesizing the input images if needed based on the instruction from the center. Furthermore Kohno '356 (i.e. fig. 17, switcher 101 and synthesizer 102, page 2, sections 0037 – 0042), wherein teaches plurality of video are connected via synthesizer and the switcher and are selectively synthesized and displayed. Taking the combined teaching of Fujiyama '286 and Kohno '356 as a whole, it would have been obvious to one skilled in the art at the time of the invention was made to modify the image transmission system of Fujiyama '286 with synthesizer and switcher as taught by Kohno '356, in order to display the images on a display unit as a multiple images or display a selected or portion of the selected image among the plurality of the images.

Regarding claims 10 - 11, combination of Fujiyama '286 and Kohno '356 teach, "receiving apparatus includes a configuration control unit having a storage (memory) and switching one data transmission to another data transmission apparatus" (fig. 10, 51(f) and 51(i) Fujiyama).

Regarding claims 12 - 14, combination of Fujiyama '286 and Kohno '356 teach, "image transmission and receiving system, wherein data receiving apparatus is operative to receive one or more transmission data portions transmitted by another data transmission apparatus" (i.e. fig. 12, col. 2, lines 28+ of Fujiyama).

Regarding claims 15 - 16, combination of Fujiyama '286 and Kohno '356 teach, "H.261 ITU standard" (i.e. page 3, section 0049 of Kohno '356), and "MPEG-2 standard in claim 16" (fig. 6 of Fujiyama).

Regarding claim 17, examiner take Official Notice that, the limitation “encoding unit to compress and encode moving image in conformance with JPEG or JPEG 2000” are well known in the prior art of the record and can be used as an alternative for compression and encoding of the image.

Regarding claims 34 – 35, 37 – 38, 78 – 79 and 83 - 84, the limitations claimed are substantially similar to claim 1, therefore the ground for rejecting claim 1 also applies here.

Regarding claims 51 – 58, the limitations as claimed are substantially similar to claims 10 – 17, and are the method of the system claims 10 – 17, therefore the grounds for rejecting claims 10 – 17 also applies here.

4. Claims 2 – 9, 18 - 22, 39 – 41, 43 – 50, 59 – 63 and 80 – 82 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujiyama '286 and Kohno '356 further in view of Seeley et al. (US 6,091,771).

Regarding claims 2, 36 and 77, combination of Fujiyama '286 and Kohno '356 teaches “compressing and encoding, to compress and encode the synthesized images and data transmitting units and data receiving units and decompressing and decoding units and monitoring units” as discussed above with respect to claim 1. As for the additional limitation, “sound/audio collection unit for collecting sounds .....”.

Combination of Fujiyama '286 and Kohno '356 (i.e. fig. 7, data separator 51d of Fujiyama) teaches separating the multiplexed, image and sound and data, which is an indication of the sound collection being process with the image. In effect Seeley '771 (i.e. figs. 2 and 3) clearly shows Microphone/speaker (52, 53) interface and audio

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processing (54) and image processing (50). Taking the combined teaching of Fujiyama '286 and Kohno '356 and Seeley '771 as a whole, it would have been obvious to one skilled in the art at the time of the invention was made to use a microphone for collecting the sounds and inputting to the audio processing circuit.

Regarding claim 3, combination of Fujiyama '286 and Kohno '356 and Seeley '771 teaches, "camera positioned at a predetermined position" (i.e. col. 1, lines 16 – 25 of Fujiyama). As for "predetermined shutter speed". Official Notice taken by the examiner, that "predetermined shutter speed" is well known in the prior art of the record (i.e. like CCD camera, light measuring and exposure computing circuit) which receives signal from the video signal processing, detects the luminance or the like of a subject and based on that calculates optimum exposure data, which would control the CCD camera at a predetermined electronic shutter speed.

Regarding claim 4, combination of Fujiyama '286 and Kohno '356 and Seeley '771 teaches, "camera switching" (i.e. fig. 17, switcher 101 of Kohno and fig. 4, 41(g) of Fujiyama) and "analog to digital converter" (fig. 4, 41(h) of Fujiyama) and "memory buffer for temporally storing" (i.e. fig. 4, 41(j) of Fujiyama).

Regarding claims 5 – 8, combination of Fujiyama '286 and Kohno '356 and Seeley '771 teaches, "transmission data from the plurality of transmitter to the respective one or more receiver through network" (col. 1, lines 17 – 20 of Fujiyama), therefore "the address information attached in one or more transmission data portion to be transmitted through network" would be necessitated for the proper communication and transmission.

Regarding claim 9, combination of Fujiyama '286 and Kohno '356 and Seeley '771 teaches, "receiving apparatus includes a configuration control unit having a storage (memory) and switching one data transmission to another data transmission" (fig. 10, 51(f) and 51(i) Fujiyama).

Regarding claims 18 – 19, 39 – 41 and 80 - 82, combination of Fujiyama '286 and Kohno '356 and Seeley '771 teaches, "data transmission, further includes a recording unit for temporally storing coded moving image signal and coded sound signal data and time information ..... " (i.e. fig. 2 of Fujiyama, shows cameras and image transmitting apparatus (consider as recording unit), which records the moving images and sound and transmitted through network, and fig. 7, shows that the separator 51(d) separates the data, sound and etc., also unit 51(j) shows the timing information".

Regarding claims 20 - 22, the limitations "image transmitting and receiving system in which operation unit is operative to input a synthesizing operation ..... " has been covered earlier.

Regarding claims 59 – 63, the limitations claimed are substantially similar to claims 18 – 22, therefore the grounds for rejecting claims 18 – 22 also applies here.

Regarding claims 43 - 50, the limitations claimed are substantially similar to claim 2 - 9, therefore the grounds for rejecting claims 2 - 9 also applies here.

5. Claims 23 – 33 and 64 – 74 are rejected under 35 U.S.C. 103(a) as being unpatentable over combination of Fujiyama '286 and Kohno '356 and Seeley '771 and further in view of Hite et al (US 6,763,040).

Regarding claim 23, combination of Fujiyama '286 and Kohno '356 and Seeley



'771 teaches, image transmitting and receiving and controlling system for transmission data from plurality of data transmission units to respective one or more data receiving and unit through network, as discussed earlier. Combination of Fujiyama '286 and Kohno '356 and Seeley '771 fails to explicitly teach, "appliance control data communication through network". However such features are well known and used in the prior art of the record, as evidenced by Hite '040 (i.e. fig. 1, col. 1, lines 15 – 25 and col. 3, lines 33 – 65). Therefore it would have been obvious to one skilled in the art at the time of the invention was made to modify the network control system of combination of Fujiyama '286 and Kohno '356 and Seeley '771, as taught by Hite '040 for the purpose of controlling the network appliances and checking/displaying the status of the appliances.

Regarding claims 24 – 27, the limitations claimed are substantially similar to claim 23, therefore the ground for rejecting claim 23 also applies here.

Regarding claim 28 – 33, combination of Fujiyama '286 and Kohno '356 and Seeley '771 and Hite '040 teach, "input an external appliance operation instruction" (i.e. col. 3, lines 25 – 31 of Hite).

Regarding claims 64 - 74, claims 64 - 74 are the method claims of the system claims 23 – 33, therefore the ground for rejecting system claims 23 – 33 are also applies here.

### **Conclusion**

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Behrooz Senfi** whose telephone number is **(571) 272-7339**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Mehrdad Dastouri** can be reached on **(571) 272-7418**.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**Or faxed to:**

**(703) 872-9314**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal


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Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relative to the status of the application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

B. M. S. 

6/16/2005

  
VU LE  
PRIMARY EXAMINER